

REMARKS

Applicants request reconsideration of the present application in light of the present claim amendments and remarks. Claim 1 is now amended to include a clear structure.

Double Patenting

Applicants request that the rejection for double patenting be held in abeyance until there is an indication of allowable subject matter.

Rejections Under 35 USC 112, First Paragraph

Applicants contend that there is no burden of undue experimentation to make and use the LH-RH agonist of claim 1. As the examiner has acknowledged LH-RH receptors are known. Therefore, the activity of the composition of claim 1 could be readily tested in an animal model for a human subject for effect being an LH-RH antagonist. As *In re Wands* has made clear, the requirement for experimentation does not meet the threshold for lack of enablement and bar patentability, rather a lack of enablement exists when the level of experimentation is undue. Applicants urge that testing the composition of claim 1 in an animal or human does not constitute undue experimentation.

Rejections Under 35 USC 112, Second Paragraph

The claims have been amended to overcome the rejection for indefiniteness.

Rejections Under 35 USC 103

Claim 1 has been amended to include recitations from previous claims 7 and 8, which were not rejected as obvious.

Conclusion

For the foregoing reasons, applicants respectfully request allowance of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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